General Assembly

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Sixtieth session
Agenda item 81

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/60/L.25 and Add.1)*]

60/29. Report of the International Criminal Court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995, 51/207 of 17 December 1996, 52/160 of 15 December 1997, 53/105 of 8 December 1998, 54/105 of 9 December 1999, 55/155 of 12 December 2000, 56/85 of 12 December 2001, 57/23 of 19 November 2002, 58/79 of 9 December 2003, 58/318 of 13 September 2004 and 59/43 of 2 December 2004,

Noting that the Rome Statute of the International Criminal Court[1] was adopted on 17 July 1998 and entered into force on 1 July 2002,

Recalling that the Rome Statute reaffirms the purposes and principles of the Charter of the United Nations,

Noting the substantial progress that has been achieved so far in making the International Criminal Court fully operational, and also noting important milestones such as the decisions by the Prosecutor of the International Criminal Court to open investigations into the situation in Uganda and in the Democratic Republic of the Congo, the referral by the Security Council of the situation in Darfur since 1 July 2002 to the Prosecutor[2] and the opening of an investigation into the situation in Darfur by the Prosecutor, as well as the issuance of arrest warrants for five leaders of the Lord's Resistance Army by the Court,

Recognizing the role of the International Criminal Court in a multilateral system that aims to end impunity, establish the rule of law and promote and encourage respect for human rights in accordance with international law and the purposes and principles of the Charter,

Expressing its appreciation to the Secretary-General for providing effective and efficient assistance in the establishment of the International Criminal Court,

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[1] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[2] See Security Council resolution 1593 (2005).

Acknowledging the Relationship Agreement between the United Nations and the International Criminal Court ("Relationship Agreement")[3] as approved by the General Assembly in its resolution 58/318, including paragraph 3 of the resolution with respect to the payment in full of expenses accruing to the United Nations as a result of the implementation of the Relationship Agreement,[4] which entered into force on 4 October 2004 and which provides a framework for continued cooperation between the Court and the United Nations, which could include the facilitation by the United Nations of the Court's field activities, and encouraging the conclusion of supplementary arrangements and agreements, as necessary,

Having received the report of the International Criminal Court,[5]

Reiterating the historic significance of the adoption of the Rome Statute of the International Criminal Court,

1. *Calls upon* all States from all regions of the world that are not yet parties to the Rome Statute of the International Criminal Court[1] to consider ratifying or acceding to it without delay;

2. *Welcomes* the one-hundredth ratification of the Rome Statute, by Mexico on 28 October 2005;

3. *Calls upon* all States that have not yet done so to consider becoming parties to the Agreement on the Privileges and Immunities of the International Criminal Court;[6]

4. *Encourages* States parties to the Rome Statute that have not yet done so to adopt national legislation to implement obligations emanating from the Rome Statute and to cooperate with the International Criminal Court in the exercise of its functions, and recalls the provision of technical assistance by States parties in this respect;

5. *Recalls* that, by virtue of article 12, paragraph 3, of the Rome Statute, a State which is not a party to the Statute may, by declaration lodged with the Registrar of the International Criminal Court, accept the exercise of jurisdiction by the Court with respect to specific crimes that are mentioned in paragraph 2 of that article;

6. *Looks forward* to the fourth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, to be held in The Hague from 28 November to 3 December 2005, as well as the resumed fourth session to be held in New York on 26 and 27 January 2006;

7. *Recalls* the establishment of the Special Working Group on the Crime of Aggression by the Assembly of States Parties, open to all States on an equal footing, and encourages all States to consider participating actively in the Working Group with a view to elaborating proposals for a provision on the crime of aggression;

8. *Encourages* States to contribute to the Trust Fund established for the benefit of victims of crimes within the jurisdiction of the International Criminal Court, and of the families of such victims, as well as to the Trust Fund for the

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[3] See A/58/874 and Add.1.

[4] Articles 10 and 13 of the Relationship Agreement.

[5] See A/60/177.

[6] *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3–10 September 2002* (United Nations publication, Sales No. E.03.V.2 and corrigendum), part II.E.

participation of least developed countries, and acknowledges contributions made to both trust funds so far;

9. *Welcomes* the report of the Secretary-General on the work of the Organization,[7] in which reference is made to the important role of the International Criminal Court in advancing the cause of justice and the rule of law;

10. *Recalls* the referral by the Security Council of the situation in Darfur since 1 July 2002 to the Prosecutor of the International Criminal Court,[2] and also recalls article 13 (*b*) of the Rome Statute;

11. *Notes* the significance of the conclusion and implementation of the Relationship Agreement between the United Nations and the International Criminal Court,[3] which forms a framework for close cooperation between the two organizations and for consultation on matters of mutual interest pursuant to the provisions of that Agreement and in conformity with the respective provisions of the Charter of the United Nations and the Rome Statute;

12. *Welcomes* the report of the International Criminal Court for 2004,[5] and invites the Court to submit, in accordance with article 6 of the Relationship Agreement, annual reports on its activities to the General Assembly;

13. *Recalls* that, pursuant to article 4, paragraph 2, of the Relationship Agreement, the International Criminal Court may attend and participate in the work of the General Assembly in the capacity of observer;

14. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Report of the International Criminal Court", which shall continue to be considered directly in plenary meeting, and under which shall be considered the annual report of the Court, the Court being invited to attend and to participate in these proceedings.

53rd plenary meeting
23 November 2005

[7] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 1* (A/60/1).